

UNITED STATES OF AMERICA :
 :
 PLAINTIFF, :
 :
 VS. : CASE NO. 2:11-CR-10 (1)
 :
 SEAN MURPHY : JUDGE SMITH
 :
 DEFENDANT. :

The Defendant, through counsel, moves the Court for a continuance of the jury trial scheduled on June 13, 2011, on the grounds that undersigned counsel needs additional time to research legal issues, investigate and prepare for trial. Counsel requests at least a 60 day continuance until mid-August. Counsel asserts that failure to grant said motion for continuance will likely result in a miscarriage of justice as counsel will be unable to provide the effective assistance of counsel to the Defendant.

/s/ George C. Luther
GEORGE C. LUTHER 0031940)
536 SOUTH HIGH STREET
COLUMBUS, OHIO 43215
TELEPHONE: 614/224-7210
ATTORNEY FOR DEFENDANT

MEMORANDUM

The events of this indictment occurred over years ago. The Government has used the services of the FBI and other law enforcement agencies to investigate this crime. The investigation covered several states including Ohio, Pennsylvania, Massachusetts and Tennessee.

Discovery is extensive and witnesses and documents needed for trial are located in many of the above mentioned states. Due to the distances involved and the extensiveness of the investigation, counsel requires the assistance of an investigator to assist with the collection of documents and interviews of potential witnesses, once those witnesses are located. Counsel is this day filing a motion for authorization for an investigator to assist counsel.

Counsel needs additional time to investigate, research issues of law and otherwise prepare for trial.

The Defendant waives his right to a trial in the time provided by law to allow for this continuance.

Counsel submits that this Motion is not made for the purpose of needlessly delaying the resolution of this case. Rather, pursuant to 18 U.S.C. 3161(h)(8), "the ends of justice served by taking such action outweigh the best interests of the public and the Defendant in a speedy trial." Failure to grant said motion for continuance will likely result in the miscarriage of justice as

counsel for the Defendant will not be able to provide the effective assistance of counsel to the Defendant.

For these reasons, counsel requests the Court for a continuance of the pretrial and jury trial scheduled herein.

Respectfully submitted,

/s/ George C. Luther
GEORGE C. LUTHER (0031940)
ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing motion for continuance was served on Sal Dominguez , Assistant United States Attorney, and other counsel of record by electronic filing this 20thth day of April, 2011.

/s/ George C. Luther
GEORGE C. LUTHER 0031940)
ATTORNEY FOR DEFENDANT